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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/823,510

04/13/2004

Yoshitsugu Gokan

EHH-138-A

3279

21828

7590

08/09/2005

CARRIER BLACKMAN AND ASSOCIATES  
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NOVI, MI 48375

EXAMINER

RODRIGUEZ, SAUL

ART UNIT

PAPER NUMBER

3681

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/823,510

Applicant(s)

GOKAN ET AL.

Examiner

Saúl J. Rodríguez

Art Unit

3681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4/13/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

This is a first office action on the merits of patent application S. N. 10/823,510.

### *Priority*

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Claim Rejections - 35 USC § 102*

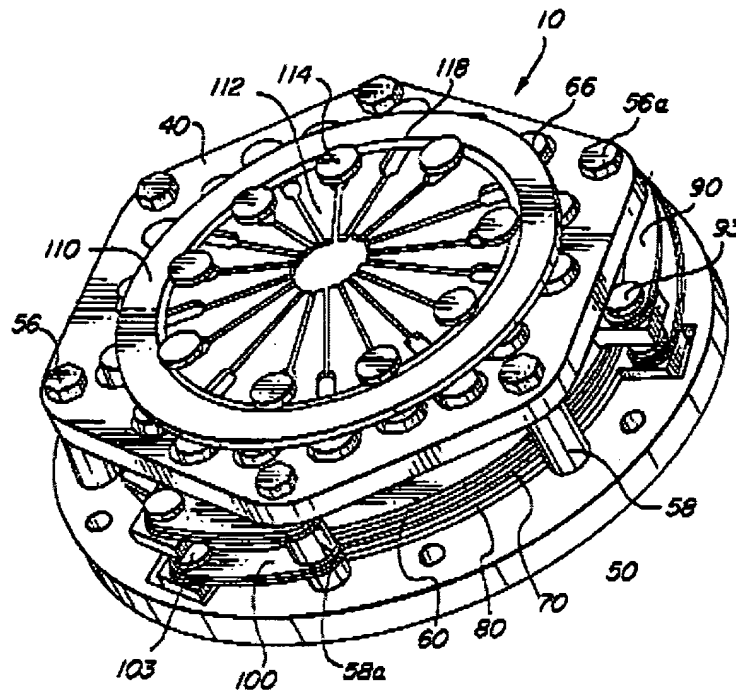
The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Mahoney ('786).

Mahoney discloses a dry multiple-disk clutch (Fig. 3) for transmitting power from a drive shaft (14) to a transmission input shaft (18) comprising an outer clutch member (40, 50, 58, 58a, 59), a plurality of driving friction disks (60, 80), a plurality of driven friction disks (70 – second disk not shown, see 4,977,991 upon which '786 improves) a pressure member (60, 66, 110), elastic strap plates (90, 100) with ends, external projections (62, 82), and studs (93, 103).



**FIG. 3**

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7-8 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mahoney ('786) in view of Gonia et al. ('665).

Mahoney does not show vibration control means or the specifics of the flywheel. However, providing elastic means on outer clutch members is conventional in the clutch

art. For example, Gonia discloses an outer clutch member (12) having a vibration control element (46) or cone spring (Col. 7, lines 16-18) and a control plate (40).

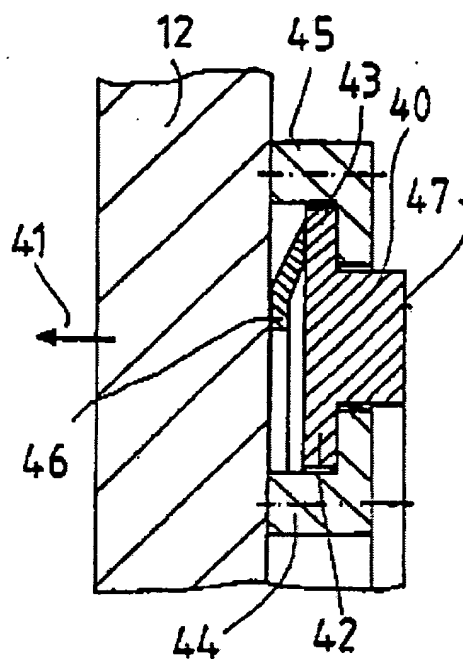


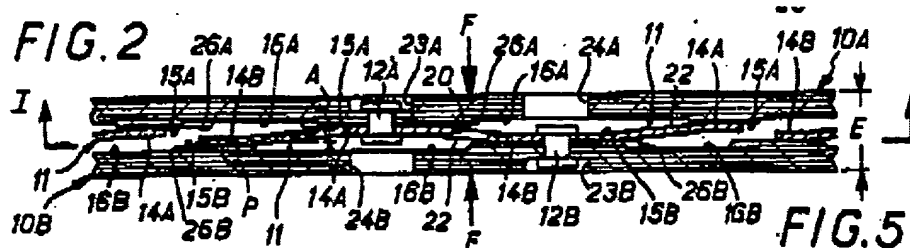
FIG. 7

Then, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide a vibration control element as taught by Gonia in the device of Mahoney to dampen vibration and improve the progressiveness of the clutch engagement.

Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mahoney ('786) in view of Alas et al. ('148).

Mahoney does not show vibration control means or the specifics of the driven friction disks. However, providing elastic means between clutch friction liners is well known in the art. For example, Alas et al. discloses a conventional friction disk

comprising vibration control means having (Fig. 2) having a warped plate and grommets (12).



Then, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide a vibration control element as taught by Alas in the device of Mahoney to dampen vibration and improve the progressiveness of the clutch engagement.

### **Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mahoney ('991) discloses another multi-plate clutch.

Patel ('544) and Gochenour et al. ('132) disclose other clutch devices with driving friction disks with biasing means.

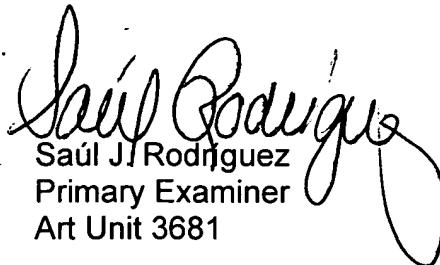
Gamble ('199) discloses another clutch driven plate having vibration control means.

Diemer et al. ('846) and Petersein et al. ('870) disclose other vibration control members with control plates.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saúl J. Rodríguez whose telephone number is (571) 272-7097. The examiner can normally be reached on M-F 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A. Marmor can be reached on (571) 272-7095. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Saúl J. Rodríguez  
Primary Examiner  
Art Unit 3681

  
CSJR